R.7.217-92

G. R. S. IX-5]

Previous references.

1888-89.

~~191~~ .

(L. R.)

File No. 44.

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. (26)

M ~~Part~~ B for Dec, 1892.

SUBJECT.

Reservation of date trees on occupied lands.

Indexed
Dn

Correspondence attached

W D 88—GPB—50,000—24-7-18

47

CHIEF SECY.'S DEPT.

SUBMITTED TO THE DEWAN.

For Orders 7

Mysore 4/5 No 113
dt 5 May 21

Subject Date trees on private holdings in Nagamangala Taluk

It appears that at the Settlement of the Nagamangala Taluk lands which were held on kuli-yard tenure were confirmed with full occupancy rights to the holders but with right to date trees thereon reserved to Government.

It appears that the Survey Supt intended to represent to Govt to obtain orders — Not this does not appear to have been done —

Read
11/5

Drafted
A.K. 6/12/22.

I none would ~~do~~ have
been better of the Survey
Dept had not confirmed
as occupied pre-emption
-tive lands which had
been granted on Bulgaul
tenures -

A general surren-
der of the right of Govt
& the State to all such
lands & Certain terms
tion of Toddy revenue -

If the settlement
arrangements are to
stand, we shall hereafter
have to pay in Toddy
Contract upwards of
the Contractor will have
the right to demand
to ~~be~~ unoccupied
land & or such occu-
pied land as have
had the Shendi trees thereon
reserved - It will be
necessary to prepare
& preserve & publish
a list of these latter
Class of lands - All
this is very inconvenient

Mlo 21/5/79.1

1884.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 11th September 1884.

No. 3593.
81.

Directing the strict enforcement of the rule prohibiting the giving out for cultivation lands which contain date trees.

Mysore Government Press, Bangalore.—16-9-84.—80.

Statement showing Particulars of the lands containing Date trees in the District, given for cultivation during the Quarter ending 188

Vide Dewan's Proceedings No. 3593--81, dated 11th September 1884.

Taluk.	Hobli.	Village.	Old No. or Survey No.	No. of Date Trees.	Estimated Revenue from Survey Assessment. Date Trees.	Remarks.

(1)

READ—

Letter No. 453, dated 19th June 1884, from Messrs. Davy, Muddappa and Co., submitting for orders the question of the rights of ryots to date trees on Kandayam lands.

No. 3593—81, DATED 11TH SEPTEMBER 1884.

ORDER THEREON.—The contractors or their agents should be asked to name any particular date topes which they may wish to retain, and steps will thereupon be taken (if considered necessary) to acquire such topes. The survey settlement gives to ryots the right to date trees on their lands, though they are debarred from drawing toddy from them. The terms of the settlement cannot now be altered; but at the same time, it is clear that some arrangement should be made to make the toddy contractor independent of the ryot.

2. It is believed that great laxity prevails in the observance of the rule prohibiting the giving out for cultivation, lands which contain date trees. The rule* should be strictly enforced and no land on which any date trees may be standing should hereafter be given for cultivation except under very exceptional circumstances and under the express order of the Deputy Commissioner in each case. A quarterly statement in the accompanying form should be submitted to this office showing all lands containing date trees which may be ordered to be given for cultivation.

* *Vide* Survey Manual, Part III, (Page 49), Rule IV, Clause 4th.

R. VIJAYINDRA RAO,
Secretary.

To—The Deputy Commissioner, Mysore District.
Para 2 to all other Deputy Commissioners and Sub-Division Officers.

4/9. Rejas

(General Serial No. 31.)

1886

4261

336

From The Dy Commr.

Mysore District

To

The Chief Secretary to the Dewan of Mysore.

Dated 1st September/88

Despatched

Received

Enclosures No. 1

General No. 3944/188

No.

Brings to notice the direction used by the Deputy Commissioner Mysore District for prohibiting the grant for cultivation of lands containing date trees.

No: 394 Mysore Dy Comm's Office
Dated 1st September 1888

From T. Ananda Row Esq. B.A
(2) Deputy Commissioner
Mysore District

To, The Chief Secretary to the
Dewan of Mysore

Sir,

Para 2 of Dewan's Proceed-
-ings No: 3593-81, dated 11th Septembr
of 1884, prohibits the grant for
Cultivation of lands Contain-
-ing date trees, and leaves to the
Deputy Commissioner, the discre-
-tion of giving such lands out in
exceptional Circumstances. How this
discretion is to be exercised, there
seems no instruction anyw-
where given. I have a recollection
that there are Dewan's orders
to the effect that where the date
trees are few, or far between, say
not more than 20 per acre, the
lands need not be withheld
from those who wish to take
them up, for the growth of food

crops (which have their economic value, as well as Toddy has its financial value). But not being able to find the orders in this District Office, I am afraid that my impression is wrong, and based upon nothing higher than the local order quoted in the margin, Copy of which is here-with submitted.

Adm: Dn. Comrs. No 11440/20th Jan/13

2. I beg therefore to report for correction, if necessary, that in practice, I am exercising the discretion vested in me so as to withhold from cultivation only, those lands which are stocked more than 20 trees per acre, are situated near date groves, and are not high and dry lands inhospitable to date seedlings. It often happens that assessed lands in surveyed Talukas, have to be withheld from cultivation in the course of the application of this principle, and the Survey Department

may say, that this is going too far, as they have left unassessed, such lands as in their opinion should really be reserved for date groves, and assessed all other.

I have the honor to be
Sir
Your most obt Servt.

Thos Parke

Deputy Commissr
Moore Dratt

WM Comptn
Chouteau

No. 1144.

Ashtagram Deputy's Office
Dupore 20th January 1873.

To,
The Deputy Superintendent
Hapan

Sir,

I have the honor to acknowledge the receipt of your letter no. 1199, of the 17th ultimo, and in reply, to make the following observations.

2. The propositions for giving out on cultivation, Government waste and unoccupied lands, which contain date trees, not exceeding 20 in acre, in the Taluks of Hanna-hully, Chennarayapatna and Alikoppa, and Nursipur, in which date trees are numerous, has my concurrence, on the understanding, that this measure will not be held applicable in the Taluks of Hapan Arkulgudu, and Belur, in which the existing number of date trees is small, and the growth of which should be encouraged.

3. The suggestions made in para 4 of the letter under reply, regarding the exemption of Coondayem lands under cultivation, on the centre of

date groves, is approved, provided such lands are not khadeem lands in the position described, should not have been given for cultivation - Discretion should however be used in the case of lands which have been in the long enjoyment of rents, and especially where there has been much expenditure in bringing them to order - It may probably not be advisible to resume any lands in the 4 Taluks named above, in which date trees abound -

4 - I concur with you in the view that the Abkary Contractor has nothing to do with the young plants which have sprung up and are springing up in the fields and gardens, which pay Condayem to Government - The Contractor's right for date trees growing in Condayem lands, extends only to those, which were in bearing when he entered upon his contract -

5. Although it does not appear necessary to consult with the Contractor or obtain his consent in each

case in which date trees have to be removed for the repairs of tanks, or the construction of new roads, it is desirable, that a statement of the number of mature trees cut down for the above purpose, should be furnished also.

6. The indiscriminate felling of date trees, and hedges of gardens and boundaries of fields, should as hitherto also be prohibited.

I have the honor &c,
Sir,
Your most obedt. servt.
(sd) J. A. Campbell
Offg: Superintendent

"Copy"
(sd) O. N. Pumaya
Dy Commissioner
Hasan Distt

"Copy"
T. Maund Rowlett
Deputy Commissioner
Myede District

Compd
Memo 11 - MM

Rev

(General Serial No. 81)

1888.9

From

(3)

To The Deputy Commr Gurgaon District.

Dated (13) th September 88

Despatched

Received

Comp

Enclosures No.

~~General~~ *No.* 1114.

No.

From the Sessions Judge 29/9.

V

Read:-

Letter No: 394 8/12th Instant from the Dy Comr Tuticorin asking to bring to notice the discretion vested in him for prohibiting the grant for cultivation of lands containing date trees.

Order - Thereon ——
Camp No 11/14 8/13/20th Sept 1858

The D Commr is right in supposing that he is allowed a certain discretion in recommending to Govt Boards for lands on which date trees stand. without bringing the lands from the Applicants wherein his opinion that would be advisable in the interest of the State Jodly Revenue. As a rule Date Topes should always be reserved; likewise lands adjacent with trees on them not quite so thick as in the topes, but sufficient for becoming such if converted:

The D Comrs can pursue that in every case where such Lands ought to have been reserved the Survey

Dept. has excluded items from settlt. Mistakes have been made in some cases & it is therefore the duty of the Dy. Comrs to examine the merits of each case.

R/C.

12/9

As soon as the investigation is complete a certificate of Payment should be issued for all the land

Rev. is completed, the other land should be

Thana Officer for collection

2. The D/C Comr is requested to submit

list of the lands in occupied land

by the Circle Officers

in the Taluka office

Land

Land

Land

(General Serial No. 29.)

1888. 6528

From The Deputy Commissioner
Mysore District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 29th November 1888

Despatched

Received

Enclosures No. 2 + 17 files

General No. 602
No.

Para 3, of Dewans Proceedings No: 1144, dated 13th September, 1888, on the subject of reservation of date trees on occupied lands.

—"—

Have the honor to intimate, that no express orders appear to have been issued by the Settling Officer, to reserve to Government, date trees on occupied lands, in Mandya.

Rifer
Sir
Subm. the CC.
Jol
6-12-88.

Subd
7/12.

LR 44-88-3

The Deputy's office is unintelligible. He will first himself in communication with the Survey Supt on the subject & (after the result) but must a full report. Necessary
With his own proposals thereon
Ba Rao
17/12/88

Secy
CS
18/12
draft'd 20/12

Talak. The enclosed, is a list, submitted by the Sirsee Amildar, to Survey Superintendent, as per his order, of date trees on lands which have been formerly in occupation, and which have been kept reserved, without being assessed during settlement. Lands containing great number of trees, and situated by the side of date groves have been brought under Karde and prohibited from Cultivation in the Sirsee Talak

The Amildar of Raganangala, submitted a copy of order from the Superintendent of Survey, which is herewith enclosed: in para 4 of the above the Survey Superintendent restricts the Ryots from destroying trees on the lands which were formerly held on Inlgawab tenure, and since registered in their names during settlement

Deputy Commissioner
Sirsee District

WM

Compd
Allowed

Read.

MYSORE COMMISSION

5

Letter No 604 of the 29 Nov 1888 from the Dy Commr Mysore District replying to a reference from this office dated the 13 September 1888 regarding the reservation of lands containing date trees.

Order. No 13122/771 of 20-2-91 Vr & Vn

The Deputy Commrs reply is unintelligible. He will put himself in communication with the Survey Supt on the subject, and if necessary, submit a ~~de~~ full and clear report of the result with his own proposals if any.

20 Feb 91
Chdy

The Dy Commr Mysore & returning V. papers.

L.9c

To

The Deputy Commissioner

Dy 20th Feby 1891

No 13122/771 R

Requesting him to put himself in Communication with the Survey Dept on the subject of reserving lands Containing good date trees and to report result if necessary

I have the honour &c

OFFICE OF THE
8 MAY 91
DIWAN OF MYSORE

1143
76

(General Serial No. 30).

189/.

From

The Deputy Commissioner
Mysore District

To

6

Dated 5-May 91

Despatched 8/74-5 87 14/5/91

Received 21/5/91

Enclosures No.

General No. 143
No.

Stating that only in the Nagamangala Taluk dale Trees standing on lands formerly held on Shulgaram tenure but full assessed and confirmed to the holders at the settlement have been reserved by Govt.

Read
14-5-91
Submitted by S Chief Secretary
20/5
20/5 91

Put a note
Ltr 21/5

21/5
14-5-91

Deputy Commissioner's Office
Dated Mysore 5th May '91.

No. 113

From,

D Ramacull Row.

Deputy Commissioner
Mysore District

Accounts
as
7/5/91

To,

The Chief Secretary
to the Government of Mysore.

Sir,

With reference to your letter no: V3122/771 dated 20th February last, I have the honor to State that on a reference to the Superintendent, Revenue Survey, that Officer (in his letter no: 47 of 31st Instant) States that only in the Nagamangla Taluk date trees Standing on lands formerly held on Inam tenure but fully assessed and confirmed to the holders at the Settlement has been reserved to Government. He further adds that he deemed it advisable

to reserve the trees standing on such lands pending further orders from Government and that it was rests with Government whether to reserve them or not. But he is not however in favour of reserving them.

2. Excepting in this solitary instance, no assessed lands containing date trees in any other Taluk under reference (Mysore and Mandya) or in those since settled viz Seringapatam and Gundlupet, have been reserved.

3 To the best of my local experience, all the important date groves in the settled Taluks have been classed as unassessed waste and at present the Settlement Officer generally consults the Deputy Commissioner before he imposes assessment on lands containing large number of date trees. I think this is

Sufficient Safeguard to prevent date groves being destroyed.

4. I may in conclusion add that I Consider it inadvisable to give away any of the lands now reserved for date groves. Beyond this precautionary measure nothing further seems to be necessary

I have the honor to be
Sir,
Your most obedient Servant
A Thomas Esq
Deputy Commissioner
Mysore District

WM

8

Read,

Letter No 113 of 5th May 1891. from the Dr Commissioner, Mysore Dist, reporting ~~the exception~~ ~~existing in the Nagamangala~~ Taluk where date trees standing on lands formerly held on Bulgaval tenure, but fully assessed and confirmed to the holders at the Survey settlement have been reserved to Govt, no assessed lands containing date trees in any other Taluk have been reserved; and that it would be inadvisable to give away any of the lands reserved for date groves.

with reference to Pro: No. 1114 of 13th Sept 1888, that it was only in the Nagamangala Taluk that lands which, before the settlement, were held on bulgaval tenure, were confirmed with full occupancy rights to the holders but with the rights to date trees thereon reserved to Govt -

No. 8874-5 of 11-12-92
R.F. 217-92 21

Order thereon 17/11th Dec 1892

Recorded.

17/12

17/12 Chief Secretary

To
The Dr Com. Mysore Dist.
The Survey Supt. Mysore